No. P. W. 4728-33—*Irn.* 2-48-19, *dated* 20*th December* 1948.

Whereas it appears to the Government of His Highness the Maharaja of Mysore that the undermentioned land situated in Gajanur Agrahar Village, Shimoga Taluk, Shimoga District, is needed for a public purpose, to wit, stone and jelly quarry for Gajanur Thunga Anicut; notice to that effect is hereby given to all whom it may concern, in accordance with the provisions of Section 4 (1) of the Land Acquisition Act of 1894, as amended by the Land Acquisition Amendment Act No. I of 1927, and the Government hereby authorise the Deputy Commissioner, Shimoga District, and his subordinates and..... to exercise the powers conferred by Section 4 (2) of the Act. Under sub-section (4) of Section 17 of the Land Acquisition Act of 1894, as amended by Act No. I of 1927, the Government direct that, in view of the urgency of the case, the provisions of Section 5-A of the Act shall not apply to the acquisition of the lands noted below.

Shimoga District, Shimoga Taluk, Kasaba Hobli, Gajanur Agrahar Village.

Survey No. 20, in the khate and anubhava of Patel Ranga Rao, bin Hanumantha Rao, and bounded on the North by Remaining portion, South by High Road, East by Remaining portion and West by Remaining portion, the area required being 14 guntas, Dry.

No. P. W. 4728-33—*Irn.* 2-48-19, *dated* 20*th December* 1948.

Under Section 6 of the Land Acquisition Act of 1894, as amended by the Land Acquisition Amendment Act No. I of 1927, the Government of His Hgihness the Maharaja of Mysore declare that the land measuring 14 guntas, be the same a little more or less, is needed for a public purpose, to wit, stone and jelly quarry for Thunga Anicut; and under Sections 4 and 7 of the same Act, the Assistant Commissioner in charge of Shimoga Sub-Division is appointed to perform the functions of a Deputy Commissioner under the Act and directed to take orders for the acquisition of the said land. Under sub-section (1) of Section 17 of the Act, the Government further direct that the possession of the said land may be taken on the expiry of fifteen days from the date of publication of the notice mentioned in Section 9 (1) of the Act. A plan of the land is kept in the Office of the Shimoga Sub-Division and may be inspected at any time during office hours.

Shmoga District, Shimoga Taluk, Kasaba Hobli, Gajanur Agrahar Village.

Survey No. 20, in the khate and anubhava of Patel Ranga Rao bin Hanumantha Rao, and bounded on the North by Remaining portion, South by High Road, East by Remaining portion and West by Remaining portion, the area required being 14 guntas, Dry.

8415 H. V. VISVESVARAYYA, *P. W. Secy.*

CHIEF SECRETARIAT

Dated 20th January 1949.

P. 11554—P.M. 31-48-3. The following Ordinance No. XXXIV of 1948, Influx from Pakistan (Control) Ordinance, 1948 and the Press Communique of the Government of India, Ministry of Relief and Rehabilitation are republished herewith for general information :—

I INFLUX FROM PAKISTAN (CONTROL) ORDINANCE: ORDINANCE NO. XXXIV OF 1948—AN ORDINANCE to control the admission into, and regulate the movements in, India of persons from Pakistan.

WHEREAS an emergency has arisen which makes it necessary to control the admission inot, and regulate the movements in, India of persons from Pakistan;

NOW, THEREFORE, in exercise of the powers conferred by section 42 of the Government of India Act, 1935 (26 Geo. 5, c. 2), the Governor-General is pleased to make and promulgate the following Ordinance :—

1. *Short title, extent and commencement.*—(1) This Ordinance may be called the Influx from Pakistan (Control) Ordinance, 1948.

(2) It extends to the whole of India.

(3) It shall come into force at once.

2. *Definitions*:—In this Ordinance, unless there is anything repugnant in the subject or context—

(*a*) "enter" means to enter by water, land or air;

(*b*) "Officer of Government" means any Officer of the Central Government or of a Provincial Government or of the Government of an acceding State;

(*c*) "permit" means a permit issued or renewed or the period whereof has been extended in accordance with the rules made under this Ordinance.

3. *Control of admission into India of persons from Pakistan.*—No person shall enter India from any place in Pakistan, whether directly or indirectly, unless—

(*a*) he is in possession of a permit, or,

(*b*) being a person not domiciled in India or Pakistan, he is in possession of a valid passport as required by the Indian Passport Act, 1920 (XXXIV of 1920), or

(*c*) he is exempted from the requirement of being in possession of a permit by or in accordance with the rules made under this Ordinance.

4. *Power to make rules.*—The Central Government may, by notification in the official Gazette, make rules—

(*a*) prescribing the authorities by which and the conditions subject to which permits may be issued or renewed or the period thereof extended, the conditions to be satisfied by the applicants for such permits, and the forms and classes of such permits;

(*b*) regulating the movements in India of any person who is in possession of a permit;

(*c*) providing for the exemption, either absolutely or on conditions, of any person or class of persons from the requirements of being in possession of a permit or from the operation of any rule made under this section; and

(*d*) generally, providing for any other matters ancillary or incidental to the carrying out of the purposes of this Ordinance.

5. *Punishment of offences.*—(1) Whoever enters India in contravention of the provision of section 3, or having entered section 4, or commits a breach of any of the conditions of his permit, shall be punishable with imprisonment for a term which may extend to one year, or with fine which may extend to one thousand rupees, or with both.

(2) Whoever, in any statement made by him in pursuance of any of the provisions of this Ordinance or of any rules made thereunder, furnishes any information which is false, and which he either knows or believes to be false or does not believe to be true, touching any point material to the object for which the statement is made or used, shall be punishable with imprisonment for a term which may extend to one year, or with fine which may extend to one thousand rupees, or with both.

6. *Power of arrest.*—(1) Any Officer of police, not below the rank of a Sub-Inspector, any officer of the customs department of the Central Government or any other officer of Government empowered by a general or special order of the Central Government in this behalf may arrest without warrant any person who has committed or against whom a reasonable suspicion exists that he has committed an offence under this Ordinance.

(2) Every officer making an arrest under this section shall, without unnecessary delay, take or send the person arrested before a Magistrate having jurisdiction in the case or to the officer-in-charge of the nearest police station, and the provisions of section 61 of the Code of Criminal Procedure, 1898 (V of 1898), or of the corresponding law for the time being in force in the Acceding State shall, so far as they may be applicable, apply in the case of any such arrest.

7. *Power of removal.*—Without prejudice to the provisions contained in section 5, the Central Government may, by general or special order, direct the removal from India of any person who has committed, or against whom a reasonable suspicion exists that he has committed, an offence under this Ordinance, and thereupon any officer of Government shall have all reasonable powers necessary to enforce such direction.

8. *Protection to persons acting in good faith.*—No suit, prosecution or other legal proceedings shall lie against any person for anything which is in good faith done or intend to be done under this Ordinanee.

9. *Repeal of Ordinance XVII of 1948.*—(1) The Influx from West Pakistan (Control) Ordinance, 1948 (XVII of 1948), is hereby repealed.

(2) Notwithstanding such repeal, any rules made, action taken or thing done in the exercise of any power conferred by the Influx from West Pakistan (Control) Ordinance, 1948, shall for all purposes be deemed to have been made, taken or done in the exercise of the powers conferred by this Ordinance, as if this Ordinance had commenced on the day such order was made or such action was taken or such thing was done.

II. GOVERNMENT OF INDIA

MINISTRY OF RELIEF AND REHABILITATION.

Press Communique.

Despite the issue of the various press notes explaining the working of the permit system, a large number of applications are being received by the Ministry of Relief and Rehabilitation every day from the general public making enquiries in this connection. As it is difficult to reply to such applications individually, the correct procedure is once again notified for

I. Permit system is in force only for journeys between India and Western Pakistan.

II. Indian nationals who want to go Pakistan should apply for necessary permit to the High Commissioner for Pakistan in India, New Delhi, Deputy High Commissioner for Pakistan in India, Jullundur or to the Permit Officer of the Pakistan Government, Bombay. Any other information in this connection should be obtained from these officials.

III. Permits for entry into India from Western Pakistan are of 4 types.

(i) Permits for temporary visits; These are granted by the High Commissioner, Karachi/Deputy High Commissioner, Lahore, on application in person by the prospective visitor.

(ii) Permits for re-settlement or permanent return: These permits are granted by the High Commissioner/Deputy High Commissioner only after personal scrutiny of the application and after a reference to the State or the Province where the applicant intends to reside.

(iii) Permanent permits; Government Officers and business men, who have frequently to travel between the two dominions on duty or on business, are given permanent permits signed by our High Commissioner/Deputy High Commissioner.

(iv) Permits for return to India: These permits are granted by our High Commissioner/Deputy High Commissioner after he is satisfied that the applicant claiming to be domiciled in India is staying in Pakistan on a temporary visit or after a reference to the State/Province concerned. Indian nationals visiting Pakistan temporarily are likely to be inconvenienced in obtaining permits for permanent return to India at the close of their temporary visits to Pakistan unless they take a certificate from the Deputy Commissioner/Collector of the district to which they belong, certifying that the applicant is an Indian national and is going to Pakistan only temporarily. These certificates will cover persons going from India. If any members of the applicant's family, now in Pakistan are to return with the applicant, a further certificate should be taken to the effect that such persons are Indian nationals, are not and have not been evacuees from India and there is no objection to their return. The certificates must mention the names, ages, relationship and other identification marks of the persons who are to return to India. The 'No Objection' certificate should bear the photographs of the persons who go to Pakistan on short visits. The photographs will be supplied by the applicants at their own expense.

IV. Persons on temporary visits to India must return to Pakistan before the expiry of the period stated on their permits. Applications for extension of the period stated in the permit should be addressed to the Superintendents of Police of the districts visited by the permit holders, who have been authorised to grant an extension up to 20 days in really deserving cases. Applications for any further extension should be addressed to the High Commissioner/Deputy High Commissioner, as the case may be.

V. Applications for permanent permits by persons who came to India on temporary permits before 10th September 1948, should be addressed to the High Commissioner/Deputy High Commissioner through the Collectors/Deputy Commissioners of the districts where the permit holders are staying.

VI. Applications for permanent permits by persons who came to India on temporary permits after 10th September 1948 will not be entertained.

VII. In no case the sanction to the required extension should be anticipated and arrangements should be made to return to Pakistan if no reply is received before the expiry of the period stated in the permit. Those overstaying will be liable to be prosecuted under the Ordinance and sent back to Pakistan.

VIII. All enquiries regarding the issue of permits should be addressed to the Provincial or State authorities concerned.

K. SRINIVASAN, *Chief Secy.*

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